

AFFIDAVIT

Anthony Gee, #227493
PLAINTIFF

VS.

CIVIL ACTION NO.

Draper Correctional Facility
DEFENDANTS.

STATE OF ALABAMA
EASTERLING CORRECTIONAL FACILITY

I, Latrice Greene hereby certify and affirm that I am a Classification Specialist Supervisor, at Easterling Correctional Facility; that I am one of the custodians of inmate records at this institution; that the attached document(s) are true, exact, and correct photocopies of certain documents maintained here in the Classification Dept.; and that I am over the age of twenty-one years and competent to testify to the aforesaid documents and matters stated therein.

I further certify and affirm that said documents are maintained in the usual and ordinary course of business at the Easterling Correctional Facility; and that said documents (and the entries therein) were made at, or reasonably near, the time that by, or from information transmitted by, a person with knowledge of such facts, events, and transactions referred to therein are said to have occurred.

This, I do hereby certify and affirm to on this the 24 day of May, 2006.

Latrice Greene

SWORN TO AND SUBSCRIBED BEFORE ME THIS THE 24 DAY OF May, 2006.

My Commission Expires: 7-15-07

Linda E. Deal
NOTARY PUBLIC



DETENTION NOTIFICATION

Draper Correctional Center

FROM: Sgt. William Miller Shift Commander / OfficialTO: Inmate Anthony Gee AIS # B/227493

REF: Placement in Administrative Segregation

You are being placed in Administrative Segregation for (Brief Description of Reason):

35- Fighting without a weapon. Inmate Gee was
Assaulted by inmate Raheem Fikes, B/192176

Your placement in Segregation is authorized by Sgt. William Miller on this the 27th day of November, 2004. Your confinement in Segregation is for a period of not more than seventy-two (72) hours. Prior to the end of your 72-hour confinement, you will either be released, served a Progress Review, a Disciplinary Notice, or extended. This 72-hour confinement excludes weekends and holidays. You may also be confined in Segregation by order of the I&I Division for investigation, criminal prosecution, etc. You will be given a verbal and written orientation concerning policies and procedures of the Segregation Unit at the time you enter the Unit. You will be allowed to make one (1) phone call upon your initial placement into the Segregation Unit. You must retain personal envelopes, stationary, stamps, and current legal work upon initial placement in Segregation. You will not be allowed to go back into your property until after sixty (60) days from your initial placement. Your signature below indicates that you have collected and secured all of your personal property from population and acknowledges receipt of this detention notice.

Anthony Gee 227493
Inmate's Signature / AIS #M. Thar...
Officer's Signature Date / Time

1. Inmate's property has been collected and placed into the Segregation Unit Property Room.
2. Inmate was afforded the opportunity to place a phone call prior to confinement.

a. Refused _____ b. Called _____ c. Call Later ☒ Time: 4:00pmcc: Inmate's Segregation File
ClassificationM. Thar...
Officer's Signature

Annex E to SOP #5-70

DCC 04-319

ALABAMA DEPARTMENT OF CORRECTIONS
MAJOR INSTITUTIONS - BEHAVIOR CITATION

INMATE: Anthony Gee AIS: B/227493 CELL/DORM/BED#: 5/109

FACILITY: Draper Correctional Center JOB ASGMT: _____ CUSTODY: Medium

The above named inmate is cited by Officer Ricky Woods for the following violation(s) of institutional/departamental rule(s) as described:
Rule #63-Disorderly Conduct. Officer Ricky Woods observed inmate Anthony Gee wrestling with inmate Trevoris Sumler B/232728 bed 102.

Date of Infraction: 11/27/04 Time of Infraction: 8:35 PM (am or pm)
Location of Infraction: Cell #3 Upstairs

Ricky Woods 12/3/04
Citing Employee's Signature/Date

I have investigated the circumstances surrounding this citation and recommend that the following sanction(s) be taken against this inmate:

- ☐ Counseling/Warning ☒ Loss of Telephone Privileges for 45 days
☒ Loss of Canteen Privileges for 45 days ☒ Removal from Incentive Program
☒ Loss of Visiting Privileges for 45 days ☐ Removal from Hobby Crafts Prg.
☒ Extra Duty for 45 days at 2 hours per day under supervision of 2ND Shift
☐ Removal from good time earning status
☐ Referral to Classification for custody review.

X Anthony Gee 227493 12-3-04
Inmate's Signature/AIS/Date

Willie C. Miller 12/3/04
Shift Supervisor's Signature/Title/Date

After having reviewed this citation and the recommended sanction(s) presented, the following action is approved:

- ☒ Citation and sanctions are approved
☐ Citation and sanctions are approved as modified below: _____

() Citation and sanctions are disapproved and formal disciplinary action is to be immediately initiated under the provisions of ADOC AR 403.

() Citation and sanctions are disapproved. Expunge action from inmate's file.

1-15-05 thru 2-28-05

Effective Date of Sanctions

Warden/Designee's Signature/Date
12/6/04

Inmate's receipt of completed action:

Anthony Gee 227493-12-7-04
Inmate's Signature/AIS/Date

Serving Officer's Initials EL

Distribution: () Captain () Shift Cmdr _____ Shift () Business Office () I.C.S.
(As Required) () Psychologist () Classification () Central Records () File

ENTERED TERMINAL nex A to AR 414

DATE: 12/6/04 BY: JO

N801
 D of C
 DOC No. 801
 (Rev. 1/98)

STATE OF ALABAMA
 DEPARTMENT OF CORRECTIONS
 INSTITUTIONAL INCIDENT REPORT

1. Institution: Draper Correctional Center	2. Date: 11/27/04	3. Time: 8:35 P.M.	4. Incident Number DCC 04-319
5. Location Where Incident Occurred: Cell #5 Upstairs		6. Type of Incident: #31 - Assault on another Inmate. #63-Disorderly Conduct	
7. Time Incident Reported: 8:37 PM		8. Who Received Report: <i>Will. C. Miller</i> Sgt. William C. Miller	
9. Victim:			
a. <u>Anthony Gee</u> (Type Full Name)		No. <u>B/227493</u>	
b. _____ (Type Full Name)		No. _____	
10. Suspects:			
a. <u>Trevoris Sumler</u> No. <u>B/232728</u>	11. Witnesses: a. <u>N/A</u> No. <u>N/A</u>		
b. <u>Raheem Fikes</u> No. <u>B/192170</u>	b. _____ No. _____		
c. _____ No. _____	c. _____ No. _____		
d. _____ No. _____	d. _____ No. _____		
e. _____ No. _____	e. _____ No. _____		
	f. _____ No. _____		
	g. _____ No. _____		
Physical Evidence:			
12. Type of Evidence: <u>N/A</u>			
13. Description of Evidence: <u>N/A</u>			
14. Chain of Evidence: <u>N/A</u>			
a. _____			
b. _____			
c. _____			
d. _____			
15. Narrative Summary: On 11/27/04, Officer Ricky Woods was assigned to Cell #5 Upstairs. At approximately 8:35 PM, Officer Woods was roving the cell when he observed inmates Anthony Gee, B/227493 and Trevoris Sumler, B/232728 wrestling in the back of the cell near the bathroom. Officer Woods approached the area and ordered both inmates to stop. Inmates Gee and Sumler complied with no other incident. Officer Woods verbally reprimanded inmates Gee and Sumler on their negative behavior. At approximately 8:37 PM, Officer Woods ordered inmates Gee and Sumler to report to the Shift Office and reported the incident to Sgt. William C. Miller, via radio. After entering the shift office, Sgt. Miller verbally reprimanded inmates Gee and Sumler of their negative behavior. At approximately 8:40 PM, both inmates were sent back to Cell #5 Upstairs by Sgt.			

Distribution: ORIGINAL Investigation and Inspection Division
 COPY to Deputy Commissioner, Institutions

COPY to Central Records File
 COPY to Institutional File

(Signature)

D of C
N 602

CONTINUATION SHEET

Incident Number:

DCC 04-319

Date:

11/27/04

Type: #31-Adult on another Inmate. #63-Disorderly Conduct

Narrative Summary (Continued) Page No. 2

Miller pending behavior citations for rule violation #63-Disorderly Conduct. Upon arriving in Cell #5 Upstairs, Officer Woods ordered inmates Gee and Sumler to get some brooms and help clean up the cell. Inmate Gee was in the back of the cell when Officer Woods observed inmate Gee running towards the front of the cell with his right hand over his mouth and blood on his shirt. Inmate Gee ran down stairs to the hallway and Officer Woods responded behind inmate Gee. Officer Woods radioed that assistance was needed in Cell #5 upstairs. Sgt. Miller and several second shift officers reported to Cell #5 upstairs and locked down the cell while Officer Woods escorted inmate Gee to the shift office. When Sgt. Miller returned to the shift office, inmate Gee reported to Sgt. Miller that inmate Raheem Fikes, B/192170 had cut him on his lip and shoulder with a razor blade. Officers Rodney Woods and Gary Holder handcuffed inmate Fikes on bed 165 and escorted him to the shift office. At approximately 8:40 PM, Cpt. Joseph Womble was notified of the incident. At approximately 8:45 PM, Officer Terrance Myrick escorted inmate Gee to Station Health Care Unit for medical treatment. (See attached body chart) At approximately 8:50 PM, Warden Jeffery Williams was notified of the incident. At approximately 9:00 PM, Warden James DeLoach was notified of the incident. At approximately 9:10 PM, Officer Rod Woods escorted inmate Sumler to Cell #5 upstairs to pack his property. At approximately 9:15 PM, Officer Rod Woods escorted inmate Sumler to SHCU for a medical examination. (See attached body chart) At approximately 9:25 inmate Gee was transported to Elmore Community Hospital for treatment by officers Myrick and Roddick Vinson. (See attached overnight transport form) Sgt. Miller conducted an investigation which revealed that inmate Fikes did cut inmate Gee with some type of weapon. Inmate Gee stated to Sgt. Miller that he does not know why he was cut by inmate Fikes. Inmate Fikes denied cutting inmate Gee but blood was on his clothing. Sgt. Miller verbally reprimanded inmate Fikes on his negative behavior. At approximately 9:45 PM, Officers Rod Woods and Samuel Johnson escorted inmate Fikes to SHCU for a medical examination. (See attached body chart) At approximately 10:00 PM, inmate Sumler was placed in Drapers segregation unit pending further investigation. At approximately 10:15 PM, inmate Fikes was placed in Drapers segregation pending rule violation #31-Assault on another inmate. At approximately 11:40 PM, Officers Myrick and Vinson returned from Elmore Community Hospital with inmate Gee who was placed in SHCU (MOU bed #5) for further observation. When inmate Gee is released from SHCU, inmate Gee will be placed in Drapers segregation unit pending further investigation. No further actions taken at this time.

Ricky Woods, COI
Officer Ricky Woods

**ALABAMA DEPARTMENT OF CORRECTIONS
CENTRAL COMMUNICATIONS INCIDENT REPORT**

Type of Incident: Assault on another Inmate Institution: Draper CF

Victim(s) Anthony Gee AIS# 227493 R/S B/M DOB: 02/22/83

Suspect(s) Raheem Fikes AIS# 192170 R/S B/M DOB: 01/31/78

Sentenced From: (V)Escambia County Date of Sentence: 02/07/03

Crime (V)Burglary II, TOP I & II Length of Sentence 10 Years

Date: 11/27/04 Time: 8:35 PM Location: 5 Cell Upstairs

Brief Narrative:

Inmate Anthony Gee B/227493 was cut in Cell #5 upstairs with a razor by Inmate Raheem Fikes, B/192170. Inmate Gee was cut on his lip and right shoulder. Inmate Gee has to be transported to Elmore Community Hospital stitches.

Official Reporting: Sgt William C Miller Date: 11/27/04 Time: 9:35 PM

Receiver of Report: PCO Keetley DOC Communication Div.

Dep. Commissioner: Greg Lovelace E-Mail Date: 11/27/04 Time: PM

Inst. Coordinator: Roy Hightower E-Mail Date: 11/27/04 Time: PM

Investigations: C P Barfoot E-Mail Date: 11/27/04 Time: PM

Comm Corr Dir: Steve Hayes E-Mail Date: 11/27/04 Time: PM

Central Records: Notified by E-Mail Date: 11/27/04 Time: PM

Public Info Officer: Brian Corbett E-Mail Date: 11/27/04 Time: PM

Central Classification Paul Whaley E-Mail Date: 11/27/04 Time: PM



EMERGENCY

ADMISSION DATE 11/27/04 9:50 AM		ORIGINATING FACILITY Draper		<input type="checkbox"/> SICK CALL <input type="checkbox"/> EMERGENCY <input type="checkbox"/> OUTPATIENT	
ALLERGIES NKDA		CONDITION ON ADMISSION <input checked="" type="checkbox"/> GOOD <input type="checkbox"/> FAIR <input type="checkbox"/> POOR <input type="checkbox"/> SHOCK <input type="checkbox"/> HEMORRHAGE <input type="checkbox"/> COMA			
VITAL SIGNS: TEMP 99.1		ORAL RECTAL		RESP. 18	
PULSE 68		BP 146/76		RECHECK IF SYSTOLIC <100> 50	
NATURE OF INJURY OR ILLNESS					
1) Body chart requested per DOC.					
2) A90X3. Resp c ease skin w/o to touch. Injuries noted. Ambulating & difficult. Basis of acute distress noted.					
PHYSICAL EXAMINATION					
A) Body chart requested per DOC					
D) Release to DOC MD to Review					
<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> </div> <div style="width: 45%;"> </div> </div>					
ORDERS / MEDICATIONS / IV FLUIDS					
TIME BY					
DIAGNOSIS					
INSTRUCTIONS TO PATIENT					
DISCHARGE DATE					
11/27/04 9:50 AM		RELEASE / TRANSFERRED TO		<input checked="" type="checkbox"/> DOC <input type="checkbox"/> AMBULANCE	
NURSE'S SIGNATURE		DATE		CONDITION ON DISCHARGE <input checked="" type="checkbox"/> SATISFACTORY <input type="checkbox"/> POOR <input type="checkbox"/> FAIR <input type="checkbox"/> CRITICAL	
11/27/04		PHYSICIAN'S SIGNATURE		CONSULTATION	
INMATE NAME (LAST, FIRST, MIDDLE)					
Sumter, Trevaris					
DOC#		DOB		R/S	
122778		11.29.85		Bm DCr	



PRISON
HEALTH
SERVICES
UNINCORPORATED

EMERGENCY

ADMISSION DATE 11/27/04		TIME 9:00 AM	ORIGINATING FACILITY Drop Box		<input type="checkbox"/> SICK CALL <input type="checkbox"/> EMERGENCY <input type="checkbox"/> OUTPATIENT																												
ALLERGIES NKA			CONDITION ON ADMISSION <input type="checkbox"/> GOOD <input checked="" type="checkbox"/> FAIR <input type="checkbox"/> POOR <input type="checkbox"/> SHOCK <input type="checkbox"/> HEMORRHAGE <input type="checkbox"/> COMA																														
VITAL SIGNS: TEMP 99.3		ORAL RECTAL	RESP. 24		PULSE 82 B/P 126/66																												
NATURE OF INJURY OR ILLNESS S - BODY CHART PER DOC REQUEST			RECHECK IF SYSTOLIC <100> 50 <input type="checkbox"/>																														
O - NAOX3. SKIN W/ID. RESEP CLARE E BASE. NOTED 3 RAZOR CUTS. 2.5cm LACERATION ID 1 MID LIP. 1cm LAC IN @ END OF LIP. 7.5cm LAC IN RIGHT SHOULDER. NO BLEEDING NOTED @ PRESENT. 0 c/o pain.			ABRASION /// CONTUSION # BURN xx FRACTURE Z LACERATION / SUTURES																														
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NURSE'S SIGNATURE [Signature]		DATE 11/27/04	PHYSICIAN'S SIGNATURE [Signature]		DATE 11/27/04																												
PATIENT NAME (LAST, FIRST, MIDDLE) CHER, HATHORNY			DOC# 227493	DOB 2/22/83	R/S B/M	FAC. Drop Box																											

ALDOC Form 225B

ALABAMA DEPARTMENT OF CORRECTIONS
DISCIPLINARY REPORT

04-01009

1. Inmate: GEE, Anthony Custody: Medium AIS: B/227493
2. Facility: Draper Correctional Center
3. The above inmate is being charged by Officer Paula F. Burke with violation of rule number 38 specifically Indecent Exposure/Exhibitionism from regulation # 403 which occurred on or about November 14, 2004 at (time) 1:20 PM (am / pm), Location: Front of #2 Cell (Telephone area)

A hearing on this charge will be held after 24 hours from service.

4. Circumstances of the violation(s) are as follows:

On November 14, 2004, at approximately 1:20 PM, Officer Paula F. Burke observed Inmate Anthony Gee, B/227493, stroking his exposed erect penis in an upward and downward motion while looking directly at Officer Burke.

11/21/04
Date

Paula F. Burke, COF
Arresting Officer / Signature / Rank

5. I hereby certify that I have personally served a copy of the foregoing upon the above named inmate and I inform inmate of his/her right to present a written or oral statement at the hearing and to present written questions for the witnesses on this the 21st day of NOVEMBER, 2004, at (time) 11:50 AM (am / pm).

John K. Boudin, COF
Serving Officer / Signature / Rank

(Refused to Sign) John K. Boudin, COF
Inmate's Signature / AIS Number

6. Witness desired? NO
Inmate's Signature

YES Anthony Gee
Inmate's Signature

7. If yes, list:
- COI ANTHONY SMITH

8. Hearing Date 12/01/04 Time 7:34 AM Place PCC REG UP IT

9. Inmate must be present at Hearing Room. If he/she is not present explain in detail on additional page and attach.

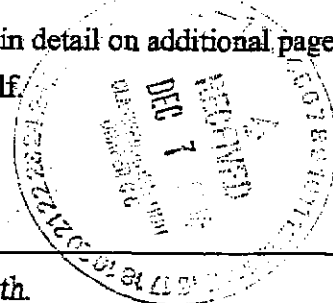
10. A finding is made that inmate
- (is / is not)
- capable of representing himself.

Paul. [Signature]
Signature / Hearing Officer

11. Plea:
- X Anthony Gee B/227493
- Not Guilty

12. The Arresting Officer, Inmate and all witnesses were sworn to tell the truth.

Paul. [Signature]
Signature / Hearing Officer



Guilty

04-01009

13. Arresting Officer's Testimony (at the hearing):

On November 14, 2003 at approximately 1:20 PM, Officer Paula F. Burke observed inmate Anthony Gee, B/227493, stroking his exposed erect penis in an upward and downward motion while looking directly at Officer Burke. QFHO TO THE ARRESTING OFFICER-Q1. Did you observe inmate Gee penis exposed? Yes. Q2. Was he masturbating? Yes.

14. Inmate's Testimony:

I was sitting on the telephone stool when Officer Burke pointed at me and advised that she was writing me up for rule violation #38-Indecent Exposure/Exhibitionism. QFHO TO INMATE GEE-Q1. Was your penis exposed? No.1

Witness: Anthony Smith, COI

Substance of Testimony:

I have no knowledge of this incident.

Witness: N/A

Substance of Testimony:

N/A

Witness: N/A

Substance of Testimony:

N/A

15. The inmate was allowed to submit written question to all witnesses. Copy of questions and answers are attached

[Signature]
Signature / Hearing Officer

16. The following witnesses were not called - Reason not called

1. N/AN/A2. N/AN/A3. N/AN/A

04-01009

17. After hearing all the testimony, the hearing Officer makes the following findings of fact: (Be Specific)

The Hearing Officer finds that:

On 11/14/04, Officer Paula Burke was the assigned #1 Cell Downstairs Officer. While roving the front of the cell, Officer Burke looked across the hallway where #2 Cell is located and observed inmate Anthony Gee, B/227493, sitting on a telephone stool adjacent to the wall. Inmate Gee had his penis exposed (masturbating). Inmate Gee was looking directly at Officer Burke while he performed this sexual/lewd act.

18. Basis for Finding of Fact:

are based upon the sworn testimony, under oath, by the Arresting Officer, who indicated that she did observe inmate Anthony Gee, B/227493, penis exposed and that inmate Gee was massaging his exposed penis (masturbating) while looking directly at her as she patrolled her area of responsibility. Inmates incarcerated within the ALDOC are prohibited from displaying their genital parts in a sexual/lewd manner to the sight of Correctional/Support Staff. The hearing officer finds inmate Gee guilty as charged.

19. Hearing Officer's Decision: XXXXXX Guilty _____ Not Guilty

20. Recommendation of Hearing Officer:

(45) days disciplinary segregation. (45) loss of all privileges to include store, telephone and visitation. Placed in the Behavior Modification Dormitory upon completion of Segregation time served. Refer to job board for possible job reassignment (farm X 120 days) and Classification for review. Recommend that all punishment run consecutively with any exiting punishment.

Brenda J. King
Signature / Hearing Officer

SGT. BRENDA KING
Typed Name and Title

21. Warden's Action - Date 12/13/04

Approved [Signature]

Disapproved _____

Other (Specify) _____

22. Reason if more than 30 calendar days delay in action. _____

23. I hereby certify that a completed copy of the foregoing Disciplinary Report was served on the above named inmate on this the 4 day of December, 2004, at (time) 105 PM (am/pm).

Annex C M onea
Signature / Serving Officer / Title

Anthony Gee 227493
Inmate's Signature and AIS Number